

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE BEXTRA AND CELEBREX  
MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION

THIS RELATES TO:  
MDL Case No. 3:06-cv-07138-CRB

Master Docket No. M:05-CV-01699-CRB

MDL No. 1699

STIPULATION AND ~~PROPOSED~~  
DISMISSAL WITHOUT PREJUDICE AS TO  
ONLY FELIPE GUTIERREZ

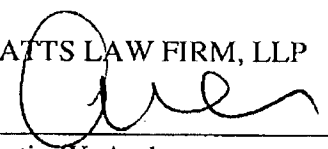
Plaintiff, Felipe Gutierrez, and defendants, Pfizer, Inc., Pharmacia Corporation, and G.D. Searle, LLC, by respective counsel undersigned, pursuant to Rule 41(a)(1), Federal Rules of Civil Procedure, hereby stipulate that the claims of only Felipe Gutierrez be dismissed without prejudice, with each side bearing its own attorneys' fees and costs.

Should Plaintiff or their lawful representative(s) attempt to re-file this claim against defendant, he shall do so only be re-filing in the United States District Court.

Dated: \_\_\_\_\_

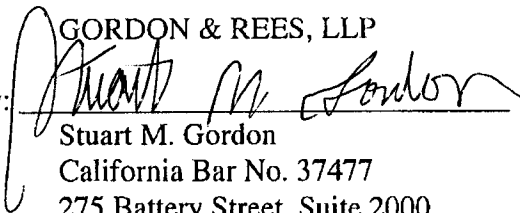
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ATTORNEY FOR DEFENDANT  
PFIZER, INC., PHARMACIA  
CORPORATION, and G.D.  
SEARLE, LLC.

THE FOREGOING STIPULATION  
IS APPROVED AND IS SO ORDERED.

Dated: August 22, 2007

CHARLES R. BREYER  
UNITED STATES DISTRICT COURT

